

11

Docket No. G-067US03REG  
Serial No. 09/603,665Remarks

Claims 79-127 were pending in the subject application. By this Amendment, claims 80, 85, 86, 99, 100, 121, and 126 have been amended and claims 128-132 have been added. Entry and consideration of the amendments and new claims presented herein is respectfully requested. Entry and consideration of the amendments and new claims presented herein is respectfully requested. Accordingly, claims 79-132 are currently before the Examiner. Favorable consideration of the pending claims is respectfully requested.

As an initial matter, Applicants acknowledge the Examiner's withdrawal of the objections and certain of the previous rejections under 35 U.S.C. §§ 112, second paragraph, 102(b) and (e). In addition, Applicants also acknowledge the Examiner's indication that claims 79, 81-84, 87-98, 103, 106-120, and 122-125 are free of the prior art.

Claims 80, 85, 86, 99-102, 104, 105, 121, 126, and 127 are rejected under 35 U.S.C. § 102(b) as anticipated by Bowcock *et al.* (WO 98/12327). The Office Action argues that the Bowcock *et al.* reference teaches an isolated and recombinant polypeptide comprising a contiguous span of at least 10 amino acids or at least 100 amino acids that contains an alanine at an amino acid position corresponding to position 2050 of SEQ ID NO: 5. Applicants respectfully assert that the Bowcock *et al.* reference does not anticipate the claimed invention as the reference fails to teach a contiguous span of at least 40 amino acids of SEQ ID NO: 5 that comprises a glutamic acid at an amino acid position corresponding to position 2017 of SEQ ID NO: 5 and an alanine at an amino acid position corresponding to position 2050 of SEQ ID NO: 5 and is at least 40 amino acids in length. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b) is respectfully requested.

In view of the foregoing remarks and amendments to the claims, the applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

J:\GEN067.US03.R1\G\Amend-Resp\Amend.2d.doc/DNB/sl

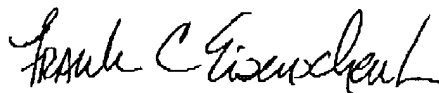
12

Docket No. G-067US03REG

Serial No. 09/603,665

The applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



Frank C. Eisenschek, Ph.D.

Patent Attorney

Registration No. 45,332

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: Saliwanchik, Lloyd & Saliwanchik  
A Professional Association  
2421 NW 41st Street, Suite A-1  
Gainesville, FL 32606-6669

FCE/s1